

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the
Commission's Future Energy Efficiency Policies,
Administration and Programs.

Rulemaking 01-08-028
(Filed August 23, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING INTERVENOR STATUS, ADDRESSING CONFIDENTIALITY OF
LOCAL ENERGY EFFICIENCY PROGRAM PROPOSALS,
AND ANNOUNCING WEB POSTING PROCESS**

This ruling addresses pending petitions to intervene, the confidentiality of third party Energy Efficiency program proposals filed before January 15, 2001, and the process for posting filings and other material in this docket to the Internet.

A. Petitions to Intervene

Three entities – Women's Energy Matters (WEM), Geothermal Heat Pump Consortium, Inc. (GHPC), and the Building Industry Institute (BII) – seek “intervenor”/“party” status in this proceeding. I grant each petition. However, nothing in this ruling addresses BII's notice of intent to seek intervenor compensation, which I will address separately.

WEM is a non-profit entity devoted to addressing energy issues “from a woman's point of view.” It states it “would like to see the utilities' involvement in future energy efficiency programs minimized,” and “to make sure that outside entities awarded program administration are not beholden to the utilities.”

Without addressing the merits of WEM's views, it has sufficient interest in this proceeding to be granted party status.

GHPC is a non-profit organization "with participation and support from the U.S. Department of Energy, the U.S. Environmental Protection Agency, and the Nation's electric utilities." Its "mission" is "to reduce greenhouse gas emissions, improve energy efficiency, reduce peak energy demand, and reduce the cost of space conditioning and water heating for utility customers." Without addressing the merits of GHPC's views, it has sufficient interest in this proceeding to be granted party status.

BII is a non-profit organization "that develops, implements and administrates (sic) research and educational programs for homebuilders, developers and the general public." It works on the "development and implementation of programs and policies promoting quality, resource efficient new homes in California and Nevada." Without addressing the merits of BII's views, it has sufficient interest in this proceeding to be granted party status.

B. Local Program Proposals

Third party local energy efficiency proposals are due December 14, 2001-January 15, 2002. Some third parties have expressed concern that if they file early - something I heartily encourage - their ideas may be the subject of "piracy" by others. Without commenting one way or the other on the legitimacy of this concern, I will allow (but not require) any party with this concern to hold off on serving its proposal on parties outside this Commission until January 15, 2002. If they file early, they may also file their proposals under seal, with the understanding that the Commission will unseal the proposals on January 15, 2002.

All parties must serve me and other Commission staff on the service list the same day they file their proposals. I should receive hard copy and e-mail service in accordance with the Electronic Service Protocols, available at http://www.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/11476.htm; and with the Commission's Interim Opinion Adopting Energy Efficiency Policy Rules (available at http://www.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/11469.htm). All other Commission staff should receive e-mail service. Such parties must serve the rest of the service list (*i.e.*, individuals other than Commission staff) by e-mail on January 15, 2002 in order for the Commission to consider their proposals.

C. Website Posting

I encourage parties to post onto the Internet all documents that they have filed to date and will file in the future in this proceeding. Posting of these documents will allow other interested parties and the general public to view and download the documents.

The Energy Division has developed a website where parties to this proceeding may post their filings. To post a document, send documents in an e-mail note to the following address: r0108028@cpuc.ca.gov. The Energy Division will forward these e-mail messages and attachments to the website where the public can view and download them.

Documents sent to the above e-mail address will be accessible at the following web address:

<http://www.cpuc.ca.gov/static/industry/electric/energy+efficiency/energy+efficiency+rulemaking.htm>

At the above website, you may click on the links provided for the following categories of documents:

- Selected Decisions and Rulings in R.01-08-028
- Energy Efficiency Program Proposals for 2002
- Comments on Energy Efficiency Program Proposals
- Other Documents and Filings

The Energy Division may create additional categories of folders as needed. Parties cannot send responses to individual e-mail messages via this web server.

The automatic posting process is not a substitute for filing any required document with the Commission's Docket Office or serving the documents on the official service list. Anyone filing documents in this proceeding must still follow the filing and service requirements for this proceeding.

IT IS RULED that:

1. I grant Women's Energy Matters (WEM), Geothermal Heat Pump Consortium, Inc. (GHPC), and the Building Industry Institute (BII) "intervenor"/"party" status in this proceeding. Nothing in this ruling addresses BII's notice of intent to seek intervenor compensation, which I will address separately.

2. Any party may (but is not required to) hold off on serving its proposal on parties outside this Commission until January 15, 2002. If they file early, they may also file their proposals under seal, with the understanding that the Commission will unseal the proposals on January 15, 2002.

3. All parties must serve me and other Commission staff on the service list the same day they file their proposals. I should receive hard copy and e-mail service in accordance with the Electronic Service Protocols (available at http://www.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/11476.htm); and with the Commission's Interim Opinion Adopting Energy Efficiency Policy Rules (available at http://www.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/11469.htm). All other Commission staff should receive e-mail service. Such parties must

serve the rest of the service list (*i.e.*, individuals other than Commission staff) by e-mail on January 15, 2002 in order for the Commission to consider their proposals.

4. Parties may post documents filed in this proceeding to the Internet by e-mailing them to the following address: R0108028@cpuc.ca.gov. They will be accessible to the general public at <http://www.cpus.ca.gov/static/industry/electric/energy+efficiency/energy+efficiency+rulemaking.htm>.

Dated January 2, 2002, at San Francisco, California.

/s/ SARAH R. THOMAS

Sarah R. Thomas
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Intervenor Status, Addressing Confidentiality of Local Energy Efficiency Program Proposals, and Announcing Web Posting Process on all parties of record in this proceeding or their attorneys of record.

Dated January 2, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.